

REMARKS

Claims 1-5, 11-13, 15-20, 53-68, 70, 72, 74, 76, and 77 are pending in the subject application. Claims 1-5, 11-13, 15-19, 53-62, 68, 70, 72, 74, 76, and 77 are allowed. By this amendment, applicants have amended Claims 64, 66, and 67 to recite the features of previous Claim 20, and have amended Claim 20 to recite the proviso found in Claim 1. Support for the amendments is thus found in at least the previous version of the claims. The amendments place the application in condition for allowance or in better form for appeal. Applicants further maintain that the amendments do not raise an issue that requires further consideration or search by the Examiner since the specific limitations recited in the current amendments have previously been found to be allowable by the Examiner. Entry of the amendments is respectfully requested.

Allowable Subject Matter

Claims 1-5, 11-13, 15-19, 53-62, 68, 70, 72, 74, 76, and 77 are allowed.

Claims 64, 66 and 67 are objected to as being dependent on a rejected base claim. The Examiner indicated that Claims 64, 66 and 67 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have hereinabove amended Claims 64, 66 and 67 to recite the limitations of base Claim 20 (there are no intervening claims). Accordingly, Claims 64, 66, and 67 should now be in condition for allowance.

Rejections under 35 U.S.C. 102/103

Independent Claim 20 and dependent Claims 63 and 65 remain rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Mahillon et al. (The EMBO Journal 7(5): 1515-26, 1988).

Applicants have hereinabove amended Claim 20 to recite the limitation recited in allowed Claim 1, i.e. "with the proviso that the DNA molecule does not comprise the entire sequence of TRT" (SEQ ID NO:4)." Applicants maintain that amended Claim 20 and dependent Claims 63 and 65 are not anticipated by or rendered obvious by the cited

art. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

CONCLUSIONS

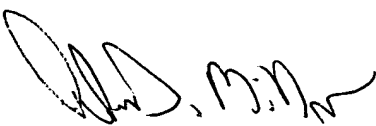
Based on the amendments and remarks made hereinabove, reconsideration and withdrawal of the rejections in the July 20, 2005 Office Action and passage of all of the pending claims to allowance are respectfully requested. If there are any minor matters that prevent allowance of the subject application, the Examiner is requested to telephone the undersigned attorney.

A check for \$120.00 is enclosed to cover the fee for a one month extension of time. No other fee is deemed necessary in connection with the submission of this reply. Applicants note that fees have previously been paid for 10 independent claims. Accordingly, re-writing Claims 64, 66, and 67 in independent form should not incur any additional claim fees. However, if there are any unexpected fees required with this reply or to maintain pendency of this application, the PTO is authorized to withdraw the amount of any such fee from Deposit Account 01-1785.

Respectfully submitted

AMSTER, ROTHSTEIN & EBENSTEIN LLP
Attorneys for Applicants
90 Park Avenue
New York, NY 10016
(212) 336-8000

Dated: New York, New York
November 18, 2005

By: 
Alan D. Miller
Registration No.: 42,889